IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	ITED STATES OF AMERICA	0.00111400			
	Plaintiff,) 8:06MJ126)			
	vs.) DETENTION ORDER			
ΑB	ABEL HERNANDEZ-ACOSTA,				
	Defendant.	'			
A.	Order For Detention After the defendant waived a detention head Bail Reform Act on October 17, 2006, the detained pursuant to 18 U.S.C. § 3142(e) a	Court orders the above-named defendant			
B.	The Court orders the defendant's detention X By a preponderance of the evide conditions will reasonably assure the By clear and convincing evidence that	because it finds: ence that no condition or combination of appearance of the defendant as required. at no condition or combination of conditions			
C.	C. Finding Of Fact The Court's findings are based on the evidence which was contained in the Pretrial Services Report, and includes the following: X (1) Nature and circumstances of the offense charged: X (a) The crime: transporting illegal aliens for personal financial gain in violation of 8 U.S.C. § 1324(a)(1)(A)(ii) and subject to ten years imprisonment. (b) The offense is a crime of violence. (c) The offense involves a narcotic drug. (d) The offense involves a large amount of controlled substances, to wit (2) The weight of the evidence against the defendant is high. X (3) The history and characteristics of the defendant including: (a) General Factors: The defendant appears to have a mental condition which may affect whether the defendant will appear. X The defendant has no family ties in the area. X The defendant has no substantial financial resources. X The defendant has no substantial financial resources. X The defendant does not have any significant community ties. Past conduct of the defendant: The defendant has a history relating to drug abuse. The defendant has a history relating to alcohol abuse. The defendant has a significant prior criminal record. The defendant has a prior record of failure to appear at court proceedings. (b) At the time of the current arrest, the defendant was on:				
	Probation				

DETENTION ORDER - Page 2

		Release pending trial, sentence, appeal or completion of
		sentence.
(c)	Other Factors:	
. ,	X	The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
	X The Bureau of Immigration and Custom Enforcement	
	(BICE) has placed a detainer with the U.S. Marshal.	
		Other:

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable from persons awaiting or serving sentences or being held in custody pending appeal; and
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: October 17, 2006. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge